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## Julian Union School District

P.O. BOX 337 • JULIAN, CA 92036 • (760) 765-0661 • FAX (760) 765-0220

# **FAX TRANSMISSION INFORMATION SHEET** Date/Time: 1/11/06 To: FROM: FCC - Office of the Secretaryne: C Kewin Ogden Organization: \_\_\_\_\_ Location; \_\_\_\_\_ Number of Pages: 15 Location: RECEIVED & INSPECTED FAX #: (202) 418-0187 FAX # (760)765-0220 JAN 1 1 2006 FCC - MAILROOM Subject: Appeal Message: \_\_\_\_\_

RECEIVED & INSPECTED

JAN 1 1 2006 FCC - MAILROOM



### Julian Union School District

P.O. Box 337 • Julian, CA 92036 • (760) 765-0661 • Fax (760) 765-0220 "Our mission is to provide every student success in learning"

January 11, 2006

Federal Communications Commission Office of the Secretary 445 12th Street, SW Room TW-A325 Washington, DC 20554

vvasnington, DC 20554 Fax: 202-418-0187

Ref: CC Docket No. 96-45 and CC Docket No. 02-6

Re: Julian Union Elementary School District PO Box 337

Julian, CA. 92036

Ph: 760 765 0661 Fax: 760 765 0220 Kevin Ogden, Superintendent kogden@sdcoe.k12.ca.us

Entity: 143645 Form 471: 455089

Funding Year: 8 (2005-2006)

#### To Whom It May Concern:

We are appealing the Administrator's Decision on Appeal – Funding Year 2005-2006 from USAC, dated December 28, 2005. It specifies that USAC believes that Julian Union Elementary School District should be classified as Urban, based on the Metropolitan Statistical Area (MSA) data. We disagree with this ruling and wish to appeal to the FCC based on the following information.

As shown in the attachments, Julian Union Elementary School District is clearly in a rural area. Attached please find:

- 1) Administrator's Decision on Appeal
- 2) The NCES website showing the locale as: Rural, inside CBSA / 8.
- 3) The California Frontier and Rural Demographics 2000 U.S. Census. You can see that the area of Julian is in the Designation of Frontier, MSSA (Medical Service Study Area) 152. Below the chart, the definition of "Rural" is a MSSA with a population density of 50,000 persons. The definition of "Frontier" is a MSSA with a population density equal or less than 11 persons per square mile."

Governing Board: Joy Booth, Jim McFall, Susan Slaughter, Michael Strachota, Eileen Tellam Jr. High Principal: Brian Duffy • Superintendent: C. Kevin Ogden

- 4) The Grant Award Notification from the U.S. Department of Education shows Julian Union School District Elementary as the recipient for the Project Description of 84.358A Application for Small, Rural School Achievement Program.
- 5) A letter from Dianne Jacob, a Supervisor from the San Diego County Board of Supervisors, verifying the rural status.
- 6) A letter from Rudy Castruita, County Superintendent of Schools, San Diego, CA. verifying the rural status of Julian Union Elementary School District.

Additionally, the Julian Union Elementary School District shares the same piece of contiguous property as the Julian Union High School District. USAC has determined that the High School District is rural but has determined that the Elementary District is Urban. This doesn't make sense. They are on the same piece of contiguous property and not separated by any streets.

Please let me know if I can provide any more information. Thank you for your consideration.

Sincerely

Keyin Ogden

District Superintendent

p. 4

JULIAN UNION SCHOOL

ATTACHMENT 1



Universal Service Administrative Company
Schools & Libraries Division

#### Administrator's Decision on Appeal - Funding Year 2005-2006

December 28, 2005

Nancy von Langen-Scott NVLS Professional Services, LLC 12265 Scripps Poway Parkway, Suite 112-307 Poway, CA 92064

/68765022B

Re: Applicant Name:

JULIAN UNION ELEM SCH DISTRICT

Billed Entity Number:

143645 455089

·Form 471 Application Number: Funding Request Number(s):

1249722, 1249767, 1249781, 1249787

Your Correspondence Dated:

November 16, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s):

1249722, 1249767, 1249781, 1249787

Decision on Appeal:

Denied

Explanation:

You are appealing 5LD's decision to decrease the funding amount due to the modification of the site-specific discount from 70% to 60%. In particular, the Rural classification was modified to Urban. In support of your appeal, you provide a document from the California Frontier and Rural Demographics 2000 U.S. Census and a Grant Award Notification from the U.S. Department of Education to show that Indian Union Elementary School District should be considered as a Rural classification. In addition, you state that Julian Union Elementary School District shares the same property with Julian Union High School. However, Julian Union High School was considered Rural by the same reviewer who reviewed this application.

JULIAN UNION SCHOOL

#### SHOCKWENT !

PAGE 03 2/3

- After thorough review of the appeal and relevant supporting documentation, it was determined that the correct classification for Julian Elementary/Junior High School (BEN 103948) is Urban. Every school or library in the United States is located in either a rural or an urban area, based on the Metropolitan Statistical Area (MSA) data. It was determined based on the physical address you provided during initial review of the Form 471 application, that the billed entity is located within San Diego County, and with Tract Code 0209.4. Compared to the USAC web site under Rural/Urban classification (http://www.sl.universalservice.org/reference/msa/Rural/UrbanClassYr4.asp), this Tract Code was not listed under the county, and therefore the entity is considered Urban. The modification of the classification resulted with the corrected discount of 60%. The documentation you provided on appeal does not support that it was
- SLD's review of your application determined that your discount eligibility should
  have been 60%. Since you did not demonstrate in your appeal that the adjustment
  SLD made to your discount percentage was incorrect because of the Rural
  classification, SLD denies your appeal.

based from the MSA data. It is ultimately the applicant's responsibility to ensure

their application be in compliance with the FCC rules.

You indicated on your Form 471 that your discount eligibility is 60%. FCC rules provide that the discount available to an applicant is determined by indicators of poverty and high cost. 47 C.F.R. § 54.505(b). The level of poverty is measured by the percentage of students emolled in a school or school district who are eligible for a free or reduced price lunch under the National School Lunch Program, or a federally-approved alternative mechanism. Alternatively, the level of poverty is measured according to participation in Medicaid, food stamps. Supplementary Security Income (SSI), federal public housing assistance or Section 8, or Low Income Home Energy Assistance Program (LIHEAP). See Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, 12 FCC Red 8776, FCC 97-157, n.1334 (rel. May 8, 1997). The high cost determination is made pursuant to FCC rules that classify a school or library as tural or urban. 47 C.F.R. § 54.505(b)(3). An applicant's discount rate is determined by reference to a matrix based upon the level of poverty and whether a school is classified as tural or urban. 47 C.F.R. § 54.505(c).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal vis United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

JULIAN UNION SCHOOL

PAGE 06

PAGE 84

JULIAN UNION SCHOOL

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division Universal Service Administrative Company

7607650220

ATTENCHMENT 2 Page 1 of i

# National Center for Education Significa

### Search for Public Schools

Common Core of Bak

Search Information

Search Results Modify Search Data Notes/Grant IDs Help

School Name:

Julian Elementary

District Name:

Julian Union Elementary

district information Physical Address:

San Diego schools in county

Mailing Address: P.O. Box 337

Julian, CA 92036-0337

1704 HWY, 78

Julian, CA 92036-0337

Phone:

760-765-0661

NCES District ID:

NCES School ID:

State District ID:

State School ID:

0619140

061914002306

3768163

6038327

School Characteristics

Grade Span: (gesdes KG - 7)

KG 1 2 3 4 5 6 7

Type:

Locale/Code:

Regular school

Total Students:

Rural, inside CBSA/8

Classroom Teachers (FTE): 20.0 Student/Teacher Ratio:

Status:

Currently operational

Charter: no Magnet: no Title I School: yes Title I School-Wide Program: no

**Enrollment Characteristics** 

Enrollment by Grade:

KC: Ungraded Students 48 37 50 45 41 49 0

Enrollment by Race/Ethnicity:

Amer Ind/ Black White Hispanic Alaskan Sindents 30 Ō 60 219

Enrollment by Gender:

Male Female Unknown Students 162 159

Free lunch eligible: 121

Reduced-price lunch eligible: 32

Migrant Students: 0

Note: Details may not add to totals.

Source: CCD Public school data 2003-2004 school year Note: "N/A" means the data are not available or not applicable

National Center for Education Statistics Office of Educational Research & Improvement, U.S. Dept. of Education 1990 K Street, NW, Weshington, DC 20006, USA, Phone: (202) 502-7300

http://nces.ed.gov/cod/schoolsearch/school\_detail.asp?Search=1&City=Julian&State=06&Z... 1/5/2006

р. 8

08

PAGE

Page 1 of 1

Anacuvent 2

#### National Center for Education Statistics

Search for Public Sci	hool Districts
-----------------------	----------------

Core of Unit

District	infor	mation

Modify Search Data Notes/Grant IDs Help

District Name:

Julian Union Elementary

County:

County ID:

schools for this district.

San Diego

06073

Mailing Address: P.O. Box 337

Physical Address: 1704 HWY. 78

Phone:

Julian, CA 92036-0337

Julian, CA 92036-0337

(760) 765-0661

NCES District ID: 0619140

State District ID: 3768163

District Details

Characteristics Staff Fiscal Census

Show All

Grade Span: (grader KG - 12)

KG 1 2 3 4 5 6 7 8 9 10 11 12

Type: Regular School District Locale/Code: Rural, inside CBSA / 8

Total Schools: 3 Total Students:

1,757

No Boundary Change Metro Status: MSA - Not Central City

Classroom Teachers (FTE): 81.6 Student/Teacher Ratio: 21.5

CSA/CBSA: 41740

Status:

Supervisory Union #1

Summer Migrant Students: 0 ELL (formerly LEP) Students: 42 Students with IEPs: 140

000

Source: CCD public school district date for the 2003-2004 school year. Note: "N/A" means the date are not available or not applicable.

National Center for Education Statistics Office of Educational Research & Improvement, U.S. Dept. of Education 1990 K Street, NW, Washington, DC 20006, USA, Phone: (202) 802-7300

JULIAN LASD

18:45

# Attachment 3 Boe 1/2

Catiomia Frontier and Rural Demographics 2880 U.S. Census: Totals by County, Medical Service Study Area (MSSA), and Region

Demog	raphic	unty 2000 s by MSSA	<u></u>							Pop	wiation D	етнодгар:	hics							
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The definition of "Rural" in a Adedical Harvica Starty Asse (455A) with a population demant of 250 persons or 4435 per square rails and have no incorporated at an greater than 36,000 persons. The distriction of "France" is a 2556A with a population density equation less some 11 persons pass square rails.

Source: OSHPO - Health Worklone and Community Development Calibrata Rural Heatin Policy Council Updates 1/04

01/11/2006 12:52 7

PAGE 10

p.10

# Attachment 3 Age 2/2

#### Increased font from California Frontier and Rural Demographics sheet:

The definition of "Rural" is a Medical Service Study Area (MSSA) with a population density of 250 persons or less per square mile and have no incorporated area greater than 50,000 persons. The definition of "Frontier" is a MSSA with a population density equal or less than 11 persons per square mile.

Designation MSSA No. MSSA Name

Frontier 152 Borrego Springs/Cuyamaca/Julian

Kertwood in the Pines, Laguna, Ocotillo Wells,

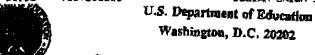
Palomar, Pine Valley, Warner Springs

Source: OSHPD - Health Workforce and Community Development, California Rural Health Policy Council, Updated 1/04

, p. 11

Jan 11 06 12:11p 18/12/2005 12:16 7697650220

JULIAN UNION SCHOOL



attachment 4

### GRANT AWARD NOTIFICATION

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	RECIPIENT STATE DIRECTOR						
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Jan 11 06 12:12p

JULIAN UNION SCHOOL

PAGE 82

FISCAL YEAR 2003 SPREADSHEET FOR SMALL, RURAL SCHOOL ACHIEVEMENT EMENT PROGRAM California public school districts

LEAs that are SHADED or highlighted MUST apply using the o-Grants system (http://e-grants.ed.gov) to receive funds for the next year, and did not apply or receive funds.

PLEASE NOTE: In 10the instances, it is possible for the funding formula to yield a great award of ED. Under the statutory form Grants); Title II-D (Educational Technology Grants); Title IV-A (Safe and Drug Pres Schoole Grants); and Title V-A (Innovative Presif R does not receive an SRSA great award, that district would still exercise REAP-Plax authority). See the section in the wedpage and

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JULIAN UNION SCHOOL

PAGE 03

LATACHMENT 4 Page 3/3

0614490	4569997 FRENCH GULCH-WHISKEYTOWN ELEMEN	4 NO	NO
D61 <b>45/20</b>	1262828 FRESHWATER ELEMENTARY	7 YES	YES
D614910	1262836 GARFIELD ELEMENTARY	7 YE\$	YES
0614970	4770318 GAZELLE UNION ELEMENTARY	7 YES	YES
0615000	1563487 GENERAL SHAFTER ELEMENTARY	8 YES	NO
0615090	5271548 GERBER UNION ELEMENTARY	7 YES	NO
0815150	4970706 GEYSERVILLE UNIFIED	8 YES	NO
0615690	4570003 GRANT ELEMENTARY	8 YES	YES
0815810	5071084 GRATTON ELEMENTARY	8 YES	YES
0615840	4970714 GRAVENSTEIN UNION ELEMENTARY	8 YES	NO
0615990	1252851 GREEN POINT ELEMENTARY	7 YËS	YES
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0616320	4970722 GUERNEVILLE ELEMENTARY	8 YES	YES
0516410	1162570 HAMILTON UNION ELEMENTARY	7 YES	YES
0816440	1162588 HAMILTON UNION HIGH	G NO	YES
0616530	4770334 HAPPY CAMP UNION ELEMENTARY	7 YES	YES
0616560	4469757 HAPPY VALLEY ELEMENTARY	8 YES	NO
0616620	4970730 HARMONY UNION ELEMENTARY	8 YES	YES
0816960	3667736 HELENDALE ELEMENTARY	B YES	NO
0817400	3968536 HOLT UNION ELEMENTARY	8 YES	YES
0617520	5471944 HOPE ELEMENTARY	8 YES	YES
0617680	4970763 HORICON ELEMENTARY	8 YES	NO
0617620	4770359 HORNBROOK ELEMENTARY	7 YES	NO
0617640	5471951 HOT SPRINGS ELEMENTARY	O NO	YES
0617880	1964626 HUGHES-ELIZABETH LAKES UNION EL	8 YES	YES
0618120	1262885 HYDESVILLE ELEMENTARY	7 YES	YES
0618160	4570029 IGO, ONO. PLATINA UNION ELEMENT	8 YES	NO
0618240	961895 INDIAN DIGGINGS ELEMENTARY	8 YES	YES
0618270	4570037 INDIAN SPRINGS ELEMENTARY	8 YES	NO
0691011	1410140 INYO CO. OFFICE OF EDUCATION	O YES	YES
0618510	1669933 ISLAND UNION ELEMENTARY	7 YES	YES
0818690	5572363 JAMESTOWN ELEMENTARY	7 YES	YES
0618780	1864105 JANESVILLE UNION ELFMENTARY	7 YES	NO NO
0815810	3567488 JEFFERSON ELEMENTARY	7 YES	NO
0619050	-1864113_IOHNSTONVILLE ELEMENTARY	7 YES	YES
0619140	3758163 JULIAN UNION ELEMENTARY	-8 YES	
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0819170		Z : 17.	NO NO
0819230	4770367 JUNCTION CITY ELEMENTARY 4770367 JUNCTION ELEMENTARY 4570045 JUNCTION ELEMENTARY 5471969 KINGS RIVER UNION ELEMENTARY CODE	7 YES	NO
0619200	4570045 JUNCTION ELEMENTARY	8 YES	NO
0619740	5471969 KINGS RIVER UNION ELEMENTARY CODE	8 YES	YES
0619770	1663941 KINGS RIVER-HARDWICK UNION ELEM	7 YES	NO
0619860	5271555 KIRKWOOD ELEMENTARY	7 YES	YES NO
0619890	1563958 KIT CARSON UNION ELEMENTARY	7 YES 7 YES	
0619820	4770375 KLAMATH RIVER UNION ELEMENTARY	7 YES	NO NO
0619980	1262919 KNEELAND ELEMENTARY	7 YES 8 YES	NO NO
0620010	5071142 KNIGHTS FERRY ELEMENTARY	8 YES	NO YES
0520430	2165342 LAGUNA JOINT FLEMENTARY	8 YES	YES
0620490	2766076 LAGUNITA ELEMENTARY	0 153	وي ،

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DIANNE JACOB

January 9, 2006

Mr. Kevin Ogden, Superintendent Julian Union School District

7607550220

P.O. Box 337 Julian, CA 92036

Dear Superintendent Ogden:

I'm writing to verify that the Julian Union School District is located in San Diego County's Second Supervisorial District, in the rural, unincorporated community of Julian. According to the latest data provided by the San Diego Association of Government, the community of Julian had an estimated population of 3,022 at 2005.

Again, thank you for writing. If I can be of further assistance, please feel free to contract me or Brin Farris of my staff at (619) 531-5522, or via my web sits at www.diannojacab.com.

Sinc

DIAMNE JACOB Supervisor, Second District

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### SAN DIEGO COUNTY OFFICE OF EDUCATION

6401 LINDA VISTA ROAD, SAN DIEGO, CALIFORNIA 92111-7399 (658) 292-3500

Superintendent of Schools Rudy M. Castruiga, Ed.D.

January 10, 2008

RE: Classification of E-Rate Status for Julian Union School District

To Whom It May Concern:

As the San Diego County Superintendent of Schools, I would like to clarify an error that was made by the Federal Communications Commission (FCC) regarding the E-Rate dissification status of the Julian Union School District ("District").

The District has been categorized by the FCC as an "urban" school district when it is actually designated a "rural" district. To substantiate my assertion and clarify this misunderstanding, I would like to submit the following information.

Under the Federal Rural Education initiative Program, the Julian Union School District is designated as an "8" rural district. The District's demographics bear this out. The District serves approximately 400 students spread over 620 square miles, which substantiates the spease population of the district. Over 80 percent of the District's 620 square miles are designated as national Forest, Indian Reservation, or State Park Land. To further underscore the District's rural standing, there is no incorporated city within the District boundary.

I hope you will take these facts into consideration as you review the Julian Union School District's appeal of the E-Rate status classification.

Thank you for your consideration.

Sincerely.

Rudy M.\Castruita

County Superintendent of Schools

**Board of Education** 

Nick Aguillar Emest J. Dronenburg, Jr. Susan Harrley Robert J. Warkins John Witt

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